

ADMINISTRATIVE PANEL DECISION

WhatsApp, LLC v. zahra choudhary
Case No. D2025-3083

1. The Parties

The Complainant is WhatsApp, LLC, United States of America (“United States” or “U.S.”), represented by Greenberg Traurig, LLP, United States.

The Respondent is zahra choudhary, Pakistan.

2. The Domain Name and Registrar

The disputed domain name <gbbwhatsapp.com> is registered with Dynadot Inc (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 1, 2025. On August 4, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 7, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name which differed from the named Respondent (Redacted for Privacy, Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 7, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amendment to the Complaint on August 12, 2025.

The Center verified that the Complaint together with the amendment to the Complaint satisfied the formal requirements of the Uniform Domain Name Dispute Resolution Policy (the “Policy” or “UDRP”), the Rules for Uniform Domain Name Dispute Resolution Policy (the “Rules”), and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (the “Supplemental Rules”).

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on August 14, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 3, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on September 8, 2025.

The Center appointed Qiang Ma as the sole panelist in this matter on September 12, 2025. The Panel finds that it was properly constituted. The Panel has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by the Center to ensure compliance with the Rules, paragraph 7.

4. Factual Background

The Complainant was established in 2009 and operates the WhatsApp messaging and voice-over-IP service and mobile application. WhatsApp offers a range of features, including sending and receiving messages, multimedia messaging, group chats, status display and time-limited messages. To date, WhatsApp is a world leader in messaging services for mobile devices with over two billion users across over 180 countries and regions. Available in 60 different languages, WhatsApp is ranked as one of the most popular mobile applications.

The Complainant is the owner of a portfolio of WHATSAPP trademark registrations, including but not limited to the United States Trademark WHATSAPP, registered on April 5, 2011 and designated for International Class 42 (U.S. Trademark Registration Number 3939463), the European Union ("EU") Trademark WHATSAPP, registered on October 25, 2011 and designated for International Classes 9, 38 and 42 (EU Trademark Registration Number 009986514), and the International Trademark WHATSAPP, registered on December 21, 2017 and designated for International Classes 9, 35, 38, 42 and 45 (International Trademark Registration Number 1396913, designated countries include Azerbaijan, Ghana, Kenya, Kyrgyzstan, New Zealand, Oman, Philippines, Sudan, Thailand, Ukraine, Uzbekistan, Viet Nam, and Zimbabwe).

The Respondent is zahra choudhary, based in Pakistan.

The disputed domain name was registered on January 12, 2025. According to the evidence submitted by the Complainant, the disputed domain name previously resolved to an English-language mobile application download page, which predominantly displayed the Complainant's device mark and purportedly offering for download a mobile application named "Gb WhatsApp" which is a modified version of the Complainant's WhatsApp application. Currently, the disputed domain name does not resolve to any active webpage, displaying the content as "403 Forbidden."

In January 2025, the Complainant's agents sent notification letters to the Respondent, demanding that the Respondent cease all unauthorized use of the disputed domain name. The Respondent failed to reply or respond to those letters.

5. Parties' Contentions

A. Complainant

The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

Notably, the Complainant contends that the disputed domain name wholly incorporates the Complainant's well-known trademark WHATSAPP, rendering the disputed domain name confusingly similar to the Complainant's mark. Moreover, the Respondent has no rights or legitimate interests in the disputed domain name. Specifically, the Respondent is not commonly known by the disputed domain name, nor is the Respondent a licensee or affiliated with the Complainant. Additionally, the Respondent does not make any bona fide offering of goods and services through the disputed domain name but actively induces consumers to mistake them for the Complainant's services. Finally, given the high fame and reputation of the Complainant's WHATSAPP trademark, the registration of the disputed domain name clearly demonstrates the Respondent's intent to promote an unauthorized, derivative, competing service and to take advantage of the Complainant's mark for commercial gain, which supports the finding of bad faith.

B. Respondent

The Respondent did not reply to the Complainant's contentions.

6. Discussion and Findings

A. Identical or Confusingly Similar

It is well accepted that the first element functions primarily as a standing requirement. The standing (or threshold) test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's trademark and the disputed domain name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)"), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the Complainant's trademark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other terms, here, "gbb," may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

The Panel finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

Paragraph 4(c) of the Policy provides a list of circumstances in which the Respondent may demonstrate rights or legitimate interests in a disputed domain name.

Although the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving a respondent lacks rights or legitimate interests in a domain name may result in the difficult task of "proving a negative", requiring information that is often primarily within the knowledge or control of the respondent. As such, where a complainant makes out a prima facie case that the respondent lacks rights or legitimate interests, the burden of production on this element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name (although the burden of proof always remains on the complainant). If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. [WIPO Overview 3.0](#), section 2.1.

Having reviewed the available record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. The Respondent has not rebutted the Complainant's prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the disputed domain name such as those enumerated in the Policy or otherwise.

Firstly, the Respondent does not appear to be commonly known by the disputed domain names or by a similar name. The Respondent has no connection or affiliation with the Complainant, and the Complainant has not licensed or otherwise authorized the Respondent to use or register any domain name incorporating the Complainant's trademark. To date, the Respondent has not acquired or applied for any trademark registrations for "GBB WhatsApp" or "GB WhatsApp."

Secondly, the Respondent does not appear to engage in any legitimate noncommercial or fair use of the disputed domain names. On the contrary, the disputed domain name previously resolved to a website that specifically targeted the Complainant by offering an unauthorized, modified version of the Complainant's WhatsApp mobile application. This indicates that the Respondent clearly had the Complainant's trademark in mind when registering the disputed domain name and intended to exploit it for unfair profit. Moreover, the webpage made prolific use of the Complainant's registered device trademarks. Accordingly, the Respondent did not demonstrate any legitimate noncommercial or fair use.

Lastly, the Respondent's website prominently displayed the Complainant's marks and logo without including any disclaimer clarifying the (lack of) relationship between the Parties, and consumers are likely to be misled by the disputed domain name and the appearance of the website into believing there is an actual relationship between the parties.

The Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

The Panel notes that, for the purposes of paragraph 4(a)(iii) of the Policy, paragraph 4(b) of the Policy establishes circumstances, in particular, but without limitation, that, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith.

In the present case, the Panel notes that the Respondent intentionally attempted to attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant's mark. Specifically, the Complainant's WHATSAPP trademarks are inherently distinctive, and the Complainant's WhatsApp mobile application is well-known throughout the world for mobile communication services. In such scenario, the Respondent registered the disputed domain name and displayed "GB WhatsApp" on the website, which clearly indicates their prior knowledge of the mark and bad faith in applying for the disputed domain name. [WIPO Overview 3.0](#), section 3.2.1.

Furthermore, the website resolved from the disputed domain name used to promote an unauthorized, derivative, competing service as the Complainant's well-known WhatsApp mobile application, meaning that the Respondent attempted to take unfair advantage from the Complainant's reputation and a bad faith in using the disputed domain name. By using the Disputed Domain Name in this fashion, Respondent has intentionally attempted to attract Internet users to its website by creating a likelihood of confusion as to the source, sponsorship, affiliation, or endorsement of Respondent's website and putative services marketed therein, in bad faith pursuant to paragraph 4(b)(iv) of the Policy.

Finally, the Panel found that the current non-use of the disputed domain name would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3. Having reviewed the available record, the Panel notes the distinctiveness or reputation of the Complainant's trademark, the composition of the disputed domain name, and the prior use of the disputed domain name in connection with the website purportedly offering the mobile application named "Gb Whatsapp", and finds that in the circumstances of this case the passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

The Panel finds that the Complainant has established the third element of the Policy.

7. Decision

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the disputed domain name <gbbwhatsapp.com> be transferred to the Complainant.

/Qiang Ma/

Qiang Ma

Sole Panelist

Date: September 26, 2025